

# Workplace first aiders and legal requirements

## OHS information for employers and workers

In Alberta, workplace first aiders need to be aware of legislation that might impact the services they provide.



### Key information

Workplace first aiders and their employers have obligations under labour legislation.

Workers whose job description includes first aid may not be covered under the *Emergency Medical Aid Act*.

## Occupational Health and Safety (OHS) Act

Alberta OHS legislation establishes minimum standards for healthy and safe practices in Alberta workplaces.

First aiders who meet the definition for a service provider in the *OHS Act* have obligations under Part 7 of the *Act*.

- Section 48(2) of the *OHS Act* **requires** persons who attend to ill or injured workers at the workplace to disclose their reports at the request of a Director of Medical Services. This allows the director to ask for the first aid reports and requires the first aiders to provide them.

## Occupational Health and Safety (OHS) Code

First aiders should be familiar with Part 11 and Schedule 2 of the OHS Code.



It is important for first aiders and their employers to know that:

- Employers and prime contractors are **required** to provide first aid services, supplies and equipment according to Section 178(1) [employers] or Section 178(2) [prime contractors] of the OHS Code.
  - The number of first aiders, their qualifications and training **must** comply with Schedule 2, Tables 5, 6, or 7 of the OHS Code.
- Employers **must** ensure work place first aiders successfully complete training from an approved first aid training agency.
  - The list of Government of Alberta approved first aid training agencies and courses is at [alberta.ca/first-aid-training.aspx](http://alberta.ca/first-aid-training.aspx)
- Employers are **required** to record all injuries and illnesses that occur at the work site. Section 183(2) of the OHS Code outlines record keeping requirements.
- Employers **must** manage first aid records in accordance with the Section 184 of the OHS Code.
- Employers **must** provide information about a product to a medical professional who requests that information in order to treat an injured worker in an emergency. Safety Data Sheets (SDSs) and

product labels may provide a valuable source of information on first aid treatment.

- Employers **must** ensure that a means of transportation is available for taking injured or ill workers to a health care facility. Section 180 of the OHS Code identifies emergency transportation requirements.
- Employers **must** ensure that communication systems are in place to summon ambulance transport when needed and that services are readily available to the work site when travel conditions are normal.

## Emergency Medical Aid Act

The *Emergency Medical Aid Act* is the name given to Alberta's "Good Samaritan" legislation, which may be applicable to voluntary first aid services rendered at a work site.



If applicable, the *Emergency Medical Aid Act* provides the following legal and liability protection:

A person is "not liable for damages for injuries to or the death of that person alleged to have been caused by an act or omission on his or her part in rendering the medical services or first aid assistance, unless it is established that the injuries or death were caused by gross negligence on his or her part." (Section 2 (b) of the *Emergency Medical Aid Act*).

This legislation offers protection to first aiders providing voluntary emergency first aid assistance.

### Know if you are covered

Workers whose job description requires them to provide first aid services should speak with their employer to determine their position with regard to the *Emergency Medical Aid Act* and their legal protection.

## Workers' Compensation Act

Section 37 of the *Workers' Compensation Act* allows first aid records required to be kept under occupational health and safety legislation to be inspected by the Workers' Compensation Board (WCB) or a designate of the Board, and by the injured worker (or his/her representative) to whom the records relate.



First aid treatment provided by work site first aiders for minor injuries does not need to be reported to WCB. However:

- Employers and workers **must** report any workplace incident to the WCB where the work injury disables or is likely to disable the worker beyond the day of the incident.
- Employers **must** also notify the WCB if the worker has medical aid treatment or other services provided by licensed medical practitioners.

## Contact Us

### OHS Contact Centre

Anywhere in Alberta

- 1-866-415-8690

Edmonton & area

- 780-415-8690

Deaf or hearing impaired:

- 1-800-232-7215 (Alberta)
- 780-427-9999 (Edmonton)

### Online incident reporting

Potentially serious, mine or mine site incidents

[oir.labour.alberta.ca](http://oir.labour.alberta.ca)

### Website

[alberta.ca/occupational-health-safety.aspx](http://alberta.ca/occupational-health-safety.aspx)

## Get copies of the *OHS Act*, Regulation and Code

### Alberta Queen's Printer

[qp.gov.ab.ca](http://qp.gov.ab.ca)

### Occupational Health and Safety

[alberta.ca/ohs-act-regulation-code.aspx](http://alberta.ca/ohs-act-regulation-code.aspx)

## For more information

### Workplace First Aid Approval: Alberta Plus Quality Management Plan (QMP) (FA017)

[ohs-pubstore.labour.alberta.ca/FA017](http://ohs-pubstore.labour.alberta.ca/FA017)

### First Aid Records (FA009)

[ohs-pubstore.labour.alberta.ca/fa009](http://ohs-pubstore.labour.alberta.ca/fa009)

### Oxygen Equipment and Related Training Requirements at Work Sites (FA013)

[ohs-pubstore.labour.alberta.ca/fa013](http://ohs-pubstore.labour.alberta.ca/fa013)

### Medication in First Aid Kits (FA014)

[ohs-pubstore.labour.alberta.ca/fa014](http://ohs-pubstore.labour.alberta.ca/fa014)

### Automated External Defibrillators in the Workplace (FA015)

[ohs-pubstore.labour.alberta.ca/fa015](http://ohs-pubstore.labour.alberta.ca/fa015)

### Reporting and Investigating Injuries and Incidents (LI016)

[ohs-pubstore.labour.alberta.ca/li016](http://ohs-pubstore.labour.alberta.ca/li016)

### Approved First Aid Training Agencies (FA018)

[ohs-pubstore.labour.alberta.ca/fa018](http://ohs-pubstore.labour.alberta.ca/fa018)

### Government of Alberta approved first aid training agencies and courses

[alberta.ca/first-aid-training.aspx](http://alberta.ca/first-aid-training.aspx)

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